



ENTERED PURSUANT TO ADMINISTRATIVE ORDER
NO. 08-10: KENNETH J. HIRZ, CLERK OF COURT
BY: /s/ BRENDA MONTANDON
DEPUTY CLERK

Dated: 08:17 AM February 25 2010

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO**

IN RE:

**CASE NO. 04-53061
ADVERSARY CASE NO. 10-05023**

Victoria Elder

Debtor(s)

**MARILYN SHEA-STONUM
BANKRUPTCY JUDGE**

Anne Piero Silagy

Plaintiff(s)

**IN PROCEEDINGS UNDER
CHAPTER 7**

vs.

Victoria Elder

Defendant(s)

**ALL DOCUMENTS REGARDING THIS
MATTER MUST BE IDENTIFIED BY
BOTH ADVERSARY AND BANKRUPTCY
NUMBERS.**

PRE-TRIAL ORDER

A pre-trial hearing is set for the **7th** day of **April, 2010**, at **3:45 p.m.** in Room 260, U.S. Courthouse Federal Building, 2 S. Main St., Akron, Ohio.

Failure of counsel or any unrepresented party to appear at any scheduled pre-trial hearing or otherwise to comply with the provisions of this Order may result in dismissal or default as may be appropriate.

Prior to the initial pre-trial hearing, counsel for represented parties and all unrepresented parties that have appeared in this adversary proceeding are jointly responsible for arranging a conference to discuss the nature and basis of their claims and defenses and the possibilities for a prompt settlement or resolution of the adversary proceeding, and to develop a proposed discovery plan. Following the conference, Plaintiff's counsel shall complete and submit a Pre-Trial Worksheet that contains, at a minimum, the information requested below, to the Court at MSS-Pretrials@ohnb.uscourts.gov by not later than 12:00 p.m. on the day preceding the initial pre-trial hearing. Plaintiff's counsel shall assure that all counsel of record and unrepresented parties have received a copy of the Pre-Trial Worksheet.

The Pre-Trial Worksheet shall include the following information.

Adversary Proceeding Case Number: _____

Date/Time of Initial Pre-Trial Hearing: _____

Parties to the Adversary Proceeding: _____

If counsel intends to participate telephonically in the Initial Pre-Trial Hearing, the number(s) at which counsel can be reached directly:

Plaintiff's counsel: _____

Defendant's counsel: _____

Discovery: Counsel should discuss the type of discovery required and the respective timeframes to complete all necessary discovery in this proceeding.

Nature of necessary discovery: _____

Suggested deadline for completion of all discovery: _____

Dispositive Motions: In order to promote the efficient development of an accurate and appropriate record, with the exception of Rule 12(b)(1) or 12(b)(6) motions that are filed in lieu of an answer, Counsel are required to obtain the Court's permission prior to filing any dispositive motions, including motions for summary judgment and/or motions for judgment on the pleadings.

Future motions counsel anticipates filing: _____

Counsel should also be aware of the Court's approach to the following:

Stipulations: At the close of discovery, the Court requires counsel to jointly file a list of all matters which are not in dispute in this case and which can be the subject of stipulations, including any documentary evidence upon which the parties intend to rely in prosecution of their respective cases. Plaintiff's counsel shall draft an initial set of proposed stipulations and submit them to Defendant's counsel for review and approval. Defendant's counsel shall incorporate any additional stipulations as appropriate for review and approval by Plaintiff's counsel. Counsel shall then jointly file the stipulations in the case approximately two weeks after the close of discovery.

Alternative Dispute Resolution: The Court supports counsel's efforts to resolve matters through

the use of alternative dispute resolution. If all parties to the adversary proceeding are interested in pursuing some form of alternative dispute resolution, counsel shall jointly contact Judge Shea-Stonum's chambers to assist in that process. The Court will not order mediation at the request of one party in an adversary proceeding.

Miscellaneous: At the initial pre-trial hearing, counsel shall be prepared to:

1. Dismiss unnecessary parties;
2. Stipulate to facts and genuineness of documents and other exhibits not in dispute; and
3. Fully explore and be authorized to conclude settlement.

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